

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Paul Matthew Miller M-0762

Full Name of Plaintiff

Inmate Number

3:23-1294
Civil No.

v.

(to be filled in by the Clerk's Office)

Jackson Township Police Department

Name of Defendant 1

Demand for Jury Trial
 No Jury Trial Demand

Name of Defendant 2

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**FILED
SCRANTON**

AUG 04 2023

Per


DEPUTY CLERK

Name of Defendant 4

Name of Defendant 5

(Print the names of all defendants. If the names of all defendants do not fit in this space, you may attach additional pages. Do not include addresses in this section).

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

- Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)
- Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)
- Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Miller, Paul, M.

Name (Last, First, MI)

M-0762

Inmate Number

Columbia County Prison

Place of Confinement

721 Iron st

Address

Bloomsburg, PA 17815

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee
 Civilly committed detainee
 Immigration detainee
 Convicted and sentenced state prisoner
 Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Jackson Township Police Department

Name (Last, First)

Police officers

Current Job Title

1275 Huntsville Rd,

Current Work Address

Shaverstown, PA 18708

City, County, State, Zip Code

Defendant 2:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 3:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 4:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

Defendant 5:

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

- A. Describe where and when the events giving rise to your claim(s) arose.

Jackson Township Luzerne County PA.

approximately the last week of October 2020.

- B. On what date did the events giving rise to your claim(s) occur?

approximately last week of October 2020. Enclosed is a copy of my mail log showing that I attempted to write my attorney Wanda Palisseri several weeks ago for the exact dates

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

On or about the last week of October 2020 I was pulled over by officer Micheal Ketchmer of the Jackson Township police Department in Luzerne County PA. While driving my 2003 Mercury Marquis with just over 100,000 miles that was just bought several months before. Officer Ketchmer told me that he had pulled me over because of the tint on my windows. After I told him that the shade percentage was legal and I just had got it from Autozone he said "well, your registration light is out", which it was not. The Marquis is a large car and was used as a family car since my Mom was bed ridden at the time with 2-3 years to live because of ALS and it was easier to get her in and out as well as more comfortable for her. Because of it being (Please continue reading on the 4 page Attachment)

a family car the trunk and back seat were full of my family and my belongings, I believe, made Officer Ketchner interested in searching through my car. He puts me in his cruiser and searched my vehicle without a warrant nor consent to do so. He made an attempt to justify the search by saying he seen glassine baggies on the seat or floor but that is not accurate because he pulled them from under the seat. He and another officer search through everything in my car. If dash cams were utilized they will confirm what I say. He finds a bag of my sisters in the trunk with her pistol in it. After explaining it was my sisters and she must have forgot it or forgot to tell me about it. He seemed to have sympathized with me concerning my Mother because he told me he knows what its like because him himself had lost his mother. He told me that he wasn't going to charge me with the pistol at that time, but that he would if he finds out anything different from what I had told him. What I told him was the truth but for some reason I was charged with possession of a firearm some ~~10~~ months later around Feb. 2021 sometime on top of what he had charged me with that night (small poss., parapha, driving ~~to~~ a license). The night I was pulled over I was released from the police station when my sister came to pick me up. I had called several weeks after being pulled over because the police have my vehicle towed, by Malik's towing I believe, and I was told that it was under a police hold and I could not get it out.

I then ask to get my belongings from it but was told no. Shortly afterwards my Son's Mother Karla G. had called and asked to get her Echo Leaf Blower from the Vehicle and they allowed her to do so without my consent and she is not the owner. Some time later (3-19-21 I Believed) I was incarcerated in Columbia Co. Prison, transferred to Montour Co. prison on 4-12-21, then extradited to Alabama on 4-29-21 and never had/seen an attorney nor had a preliminary hearing on this case. For some reason this Luzerne case was deactivated which enabled me to be sent to Alabama some how, but by the time I get out of Alabama on or about 7-2-2021. For some reason though I had a detainer from PA after PA had sent me to Alabama so Alabama holds PA 7

days to come get me. PA calls after the 2nd- or 3rd. day into the 7 and says that they don't want me. I then do all of the right things to get my probation at the time transferred to PA so that I could come home and be close to my mom. I get my probation transferred and find out upon reporting my first day back at the Scranton PA office that Luzerne has activated my case again from Jackson Township PD. and arrested me for a felony warrant for possession of a firearm. I was then taken to Luzerne County Prison where I sat for 5 days until I made bail on 8-3-21. I hire Nanda Palissari

as my Attorney and my charges were dismissed within a week I believe from my release on 8-3-21. The car was turned over by Jackson township PD I was told to Malik's towing. There was no lawful reason to pull me over or search my vehicle, but the real issue now is that my vehicle was turned over to the towing company before the disposition of my case and the case was dismissed. The car was worth approximately \$5,000, the value of the property inside was at least \$5,000 (on the low end), the value of my Attorney lost and bail were approximately \$3,500 to \$4,000, and I was incarcerated for about a week as well. If dash cams are available the court could see that I was not exaggerating when I said the trunk and back seat were full. I had a \$1,600 Mario Lamborgini watch that was packaged for mail, New shoes (several pair), Old coins, New DeWalt drills and a bag of other work tools inside, ~~and~~ a tree of life ring of my Mother, a new radar defector and CB radio that I just bought from the truck stop, clothes, a new strut, and more. The loss of my vehicle was a great inconvenience and in turn made me lose money. So I believe that when feel that I am being fair by not even asking for half of what the property value for lost vehicle time, inconvenience, jail time, and the violation of my fourth and fourteenth amendments by the Jackson Township PD just

to get all of this over with and not wasting
anybody else's time any more than it has to
and I hope the court will share my
sentiments and also agree with my wishes/hopes
on [REDACTED] relief considering everything that
surrounds this matter. I thank you for your
time and consideration.

Paul Miller
Paul Miller

Paul Miller M-0762
Columbia Co. PRISON
721 Iron St.
Bloomsburg, PA. 17815

Sincerely,

Paul M. Miller
Paul Miller

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

My fourth and fourteenth amendment rights were violated. There was no real legal reasoning for the traffic stop or the search.

My charges from this traffic stop were dismissed but ownership of my vehicle given up by the Police to the towing company before the disposition of my case, which was ultimately dismissed

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

Lose of Vehicle, lose of earning potential due to no vehicle
Jail time, loss of property, time lost with my mother and
suitable vehicle to transport her in comfortably. Loss of items
of ~~sentimental~~ sentimental value, Violation of my rights. Lost money for

VI. RELIEF

Attorney costs and Bail & stress

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

I request monetary damages for the total of money in property and
Legal costs surrounding this matter that range from \$15,000-\$20,000, Plus
the earning loss due to no vehicle, time in jail, violation of
my rights, sentimental lost items, stress & inconvenience.

VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.



Signature of Plaintiff



Date

Paul Miller M-0762
Columbia Co. Prison
721 Iron St, PA 17815
Bloomsburg, PA

RECEIVED
SCRANTON

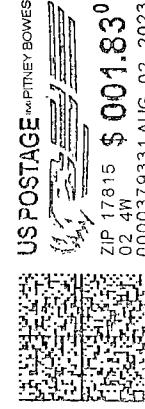
AUG 04 2023

PER
DEPUTY CLERK

United States District Court
Middle District of Pennsylvania

11/27/23

235 N Washington Ave
Scranton, PA 18501



Presort Class Mail
Combination Price